

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DERRICK LOUIS CARTER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C20-1654 MJP

ORDER DIRECTING THE UNITED
STATES TO ANSWER § 2255
PETITION

This matter comes before the Court on Petitioner's Motion to Set Aside Sentence pursuant to 28 U.S.C. § 2255. (Dkt. No. 1.) After a preliminary review of the motion, the Court ORDERS as follows:

(1) Within forty-five (45) days of entry of this Order, the United States shall file and serve an Answer in accordance with Rule 5 of the Rules Governing Section 2255 Cases in United States District Courts. As part of its Answer, the United States shall state its position as to whether an evidentiary hearing is necessary, whether any discovery is necessary, whether there is

1 any issue as to abuse or delay under Rule 9, and whether Petitioner's motion is barred by the
2 statute of limitations.

3 (2) On the face of its Answer, the United States shall note this matter for the fourth
4 Friday following the filing of its Answer, and the Clerk shall note the matter on the Court's
5 docket accordingly. Petitioner may file a Reply to the Answer no later than that noting date.

6 The clerk is ordered to provide copies of this order to Petitioner and to all counsel.

7 Dated March 2, 2021.

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9 Marsha J. Pechman
10 United States District Judge
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